

1 BILL NO. S-86-09-25

2 SPECIAL ORDINANCE NO. S-163-86

3 AN ORDINANCE approving Water Contract  
4 86-XP-4, Wallen-Coldwater Road  
5 Connection, between Scheidleman  
6 Excavating, Inc., and the City  
7 of Fort Wayne, Indiana, in connection  
8 with the Board of Public Works  
9 and Safety.

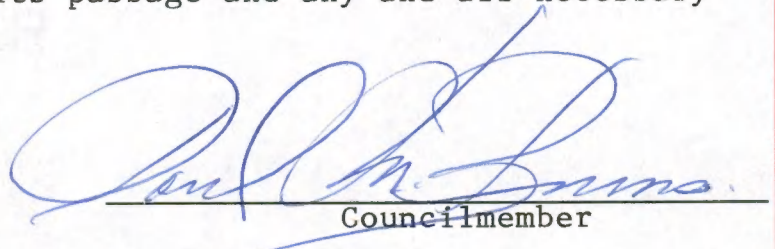
10 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL  
11 OF THE CITY OF FORT WAYNE, INDIANA:

12 SECTION 1. That the Water Contract 86-XP-4, Wallen-  
13 Coldwater Road Connection, by and between Scheidleman Excavating,  
14 Inc., and the City of Fort Wayne, Indiana, in connection with  
15 the Board of Public Works and Safety, for:

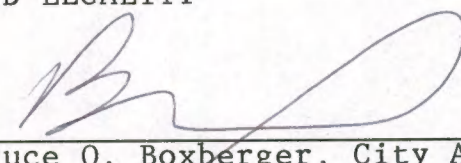
16 the installation of ductile iron  
17 Water Main as follows: 3,800 L.F.  
18 of 12" water main on Wallen Road  
19 and Coldwater Road, from an existing  
20 water main at Newberry Drive and  
21 Wallen Road, westward on Wallen  
22 Road 2,300 L.F. to terminus; and,  
23 on Coldwater Road, from Wallen  
24 Road, northward 1,300 L.F.;

25 the Contract price is Eighty-Nine Thousand Two Hundred Seventy-One  
26 and 50/100 Dollars (\$89,271.50), all as more particularly set  
27 forth in said Contract, which is on file in the Office of the  
28 Board of Public Works and Safety and, is by reference incorporated  
29 herein, made a part hereof, and is hereby in all things ratified,  
30 confirmed and approved. Two (2) copies of said Contract are  
31 on file with the Office of the City Clerk and made available  
32 for public inspection, according to law.

SECTION 2. That this Ordinance shall be in full force  
and effect from and after its passage and any and all necessary  
approval by the Mayor.

33   
Councilmember

APPROVED AS TO FORM  
AND LEGALITY

34   
Bruce O. Boxberger, City Attorney

Read the first time in full and on motion by Burns, seconded by Stu, and duly adopted, read the second time by title and referred to the Committee City of White (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.

DATE:

9-23-86

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Burns, seconded by Stu, and duly adopted, placed on its passage. PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GIAQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE:

10-14-86

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ANNEXATION~~) (~~APPROPRIATION~~) (~~GENERAL~~)

(~~SPECIAL~~) (~~ZONING MAP~~) ORDINANCE (RESOLUTION) NO. S-163-86  
on the 14th day of October, 1986,

ATTEST:

(SEAL)

Sandra E. Kennedy

Samuel J. Talarico  
PRESIDING OFFICER

SANDRA E. KENNEDY, CITY CLERK

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of October, 1986, at the hour of 11:30 o'clock A. M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 16th day of October, 1986, at the hour of 900 o'clock A. M., E.S.T.

Win Moses, Jr.  
WIN MOSES, JR., MAYOR

**Invitation For Bids/Award Of Contract\***  
**(NON-FEDERALLY ASSISTED Construction)**

**PROJECT:** WALLEN ROAD - COLDWATER ROAD  
WATER MAIN EXTENSION

**CONTRACT #:** 86-XP-4

**CONTENTS**

<u>Check if Contained</u>	<u>Pages</u>	
x	1	COVER SHEET
x	11 - 19	INSTRUCTION TO BIDDERS
x	S1	SCHEDULE
x	S2-3	SCHEDULE OF ITEMS
x	GP1 - GP7	GENERAL PROVISIONS
x		SPECIAL CONDITIONS
x		PLANS AND SPECIFICATIONS
x		DRAWINGS
x	S4	NOTES 1 AND 2
x	SS1-SS2	SUPPLEMENTARY SPECIFICATIONS

**ATTACHMENTS**

x		NON-COLLUSION AFFIDAVIT
x		BIDDER'S BOND
x		PERFORMANCE BOND
		STATE BOARD OF ACCOUNTS FORM 96A
x		CERTIFICATE IN LIEU OF FINANCIAL STATEMENT 96A
x		PREVAILING WAGE SCALE - STATE OF INDIANA
x		PAYMENT BOND
x		WARRANTY BOND
x		CERTIFICATION OF BIDDER/VENDOR
x		CERTIFICATION OF NON-SEGREGATED FACILITIES

DISCOUNT FOR PROMPT PAYMENT (SEE GENERAL PROVISIONS CLAUSE)	10 CALENDAR DAYS	20 CALENDAR DAYS	30 CALENDAR DAYS	OTHER
	_____%	_____%	_____%	_____%

KNOWLEDGEMENT OF AMENDMENTS	AMENDMENT NO.	DATE	AMENDMENT NO.	DATE

\*\*\*\*\*

**BID SUBMITTED**

Scheidleman Excavating, Inc.  
Contractor  
By: [Signature]  
Test: M. Carol Cicco  
As: Assistant Secretary  
Offer  
Date: 9/3/86

Bidder agrees to keep bid open for  
acceptance for \_\_\_\_\_ (90 days  
unless otherwise specified)

COMPLIANCE: Arthur Bailey

.C. 2/85  
.O.W. NON-FED.

**ACCEPTANCE OF BID/AWARD OF CONTRACT**

CITY OF FORT WAYNE  
BOARD OF PUBLIC WORKS AND SAFETY

By: [Signature]  
By: [Signature]  
By: [Signature]

CITY OF FORT WAYNE  
MAYOR

By: [Signature]

AWARD DATE: 9-10-86

Minority Business Enterprise (MBE) is a business of which at least 51% is owned and controlled by minority group members. ("Minority" means Black, Hispanic, American Indian, Asian, Pacific Islander, and Alaskan Native). The minority owners must exercise actual day-to-day management, as well as actively participate in management and policy decisions affecting the business. The contribution of capital, equipment or expertise made by the minority owners must be real, substantiated and documented.

Women Business Enterprise (WBE) is a business of which at least 51% is owned and controlled by women. The women owners must exercise actual day-to-day management, as well as actively participate in management and policy decisions affecting the business. The contribution of capital, equipment or expertise made by the women owners must be real, substantiated and documented.

The contract for which this proposal/bid is prepared is governed by the MBE/WBE Ordinance. This form must be completed in order to be responsive to this IFB/RFP. If the participation goal of 7% for MBE and 2% for WBE are not met or exceeded in your bid or proposal, the reasons for this failure and reasonableness and good faith of efforts to meet this goal shall be evaluated in determining whether the bidder/offeree is responsible.

A list of possible MBE/WBE contractors/suppliers are on file in the Compliance Office, Room 800, City-County Building, for Contractor review.

THE FOLLOWING IS THE UNDERSIGNED'S COMMITMENT TO THE MBE/WBE GOALS OF THE CITY FOR WORK DONE PURSUANT TO THIS CONTRACT:

A. \_\_\_\_\_ The undersigned firm certifies that it is an MBE/WBE Contractor (cross out inapplicable provision).

For MBE specify percentage of minority ownership \_\_\_\_\_%

For WBE specify percentage of women ownership \_\_\_\_\_%

B. \_\_\_\_\_ The undersigned certifies that they are a joint venture in which the following (MBE/WBE) firm \_\_\_\_\_ (cross out inapplicable provision) is a joint venture partner.

The MBE/WBE firm (cross out inapplicable provision) shall have \_\_\_\_\_% participation (employees) \_\_\_\_\_% participation (costs) in this project.

Specify the percentage of minority/women ownership in the MBE/WBE firm \_\_\_\_\_. (cross out inapplicable provision)

- C. The undersigned commits \_\_\_\_\_% of the total bid price as a subcontract to minority business enterprise participation. The MBE firms which are proposed as subcontractors are the following:

<u>Name of Firm</u>	<u>Address</u>	<u>Type of Work</u>
---------------------	----------------	---------------------

- 1.
- 2.
- 3.

- D. The undersigned commits 9% of the total bid price as a subcontract to women business enterprise participation. The WBE firms which are proposed as subcontractors are the following:

<u>Name of Firm</u>	<u>Address</u>	<u>Type of Work</u>
---------------------	----------------	---------------------

- |                       |            |                             |
|-----------------------|------------|-----------------------------|
| 1. Statewide Trucking | Fort Wayne | Trucking & gravel materials |
| 2.                    |            |                             |
| 3.                    |            |                             |

- E. Complete (1) and (2) below if participation goals of 7% MBE and 2% WBE have not been met.

1. My Company cannot meet the participation goals for the following reasons: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

2. We have taken the following steps in an attempt to comply with these participation goals: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

(attach additional sheets as necessary)

Contractor Scheidtman Excavating, Inc Contractor \_\_\_\_\_

By John D. Scheidleman

Its President

By \_\_\_\_\_

Its \_\_\_\_\_

14. Minority/Female Hourly Employment Requirements.

The City's policy is to encourage a greater utilization of minority and/or female employees in City construction projects. The Board has, therefore, adopted a minimum goal of 17% of the total work hours on each project to be expended by minority and/or female employees. ("Minority" shall include: Blacks, Hispanic, Asian, Pacific Islander, American Indian or Alaskan Native.)

The bidder shall state in "A" below the percentage of total work hours which the bidder and his subcontractors will employ and utilize women and minority employees on this project. If a contract is awarded as a result of this bid, the percentage figure set forth in "A" shall become contractually binding on the bidder. The successful bidder will also be required to prepare reports for the City demonstrating compliance with this percentage and will allow city officials access to his records, facilities and work site and to those of his subcontractors to determine compliance.

The bidder must fill in the required blanks in this clause in order to be responsive to this IFB. If the bidder does not meet or exceed the hourly utilization goal of 17% minority/female participation, the reasons for this failure and reasonableness and good faith of efforts to meet this goal shall be evaluated to determine whether the bidder is responsible.

THE FOLLOWING IS THE UNDERSIGNED'S COMMITMENT TO MINORITY/FEMALE HOURLY UTILIZATION.

A. The undersigned firm certifies that it will employ and utilize minorities and females and/or will ensure that its subcontractors employ and utilize minorities and females so that minorities and females will work at least 17% of the total hours worked on this project.

B. Complete (1) and (2) below if the hourly utilization figure set forth in "A" is less than 17%.

1. My Company and its subcontractors cannot meet the 17% minimum hourly utilization figure for the following reasons:

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2. My Company has taken the following steps in an attempt to comply with the 17 1/2 hourly utilization figure:

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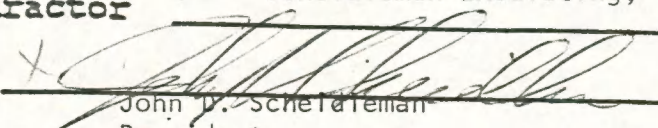
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(attach additional sheets if necessary)

Contractor

Scheidleman Excavating, Inc.

By

  
John D. Scheidleman  
President

Its

15. Required Prevailing Wage Schedule Payments - Pursuant to Indiana Code 5-16-7-1. All contractors and subcontractors working on the project awarded pursuant to this contract shall pay the prevailing wage rates for skilled, semi-skilled and unskilled laborers, workmen and mechanics. This wage determination has been made in accordance with the procedures set forth in Indiana Code 5-16-7-1. This determination and the required wage rates are available for examination by any prospective bidder at The Board of Public Works and Safety, 9th Floor, City-County Building, Fort Wayne, Indiana.

If a bidder is awarded a contract as a result of this Invitation for Bids, he/she/it shall file a schedule of wages, on forms provided by the City of Fort Wayne, demonstrating compliance with the wage rate determination. The successful prime contractor shall be responsible for obtaining schedules from all subcontractors. All schedules shall be filed before the contractor commences any work on the project.

Penalties for failure to pay the prevailing wage rate are set forth in Indiana Code 5-16-7-3.

16. Site Orientation. A site orientation (will/will not) be conducted by the City Engineers. If such an orientation is conducted, it will be held on the \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, commencing at \_\_\_\_ o'clock \_\_\_\_ M. at the site of the project.

Regardless of whether a site orientation is conducted or not; bidders are required to visit the site of the work, and inform themselves fully of the conditions, under which the work will be performed. The bidders shall be responsible for all conditions that affect the work, including, but not limited to all sub-surface conditions.

IMPROVEMENT TO FORT WAYNE WATER UTILITY  
SCHEDULE OF UNIT PRICES

WALLEN ROAD - COLDWATER ROAD WATER MAIN CONTRACT NO. 86-XP-4

<u>ITEM</u>	<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>UNIT PRICE</u>	<u>EXTENSION</u>
1.	3,800± L.F.	12" D.I. CL. 50 WATER MAIN	18.14	68,932.00
2.	4 EA.	12"x12"x12" M.J. TEE (RESTRAINED)	264.50	1,058.00
3.	3 EA.	12"x12"x6" M.J. TEE (RESTRAINED)	200.00	600.00
4.	12 EA.	12"x45° ELL (RESTRAINED)	190.00	2,280.00
5.	2 EA.	12"x6" M.J. REDUCER (RESTRAINED)	125.00	250.00
6.	8 EA.	12" GATE VALVE W/BOX	728.00	5,824.00
7.	3 EA.	6" GATE VALVE W/BOX	305.00	915.00
8.	2 EA.	TYPE III FIRE HYDRANT ASSEMBLY (ON 12")	1465.00	2,930.00
9.	2 EA.	TYPE V FIRE HYDRANT ASSEMBLY (HYD ONLY)	700.00	1,400.00
10.	170± L.F.	ASPHALT PAVEMENT REPLACEMENT	14.75	2,507.50
11.	50± L.F.	STONE DRIVE REPLACEMENT	1.50	75.00
12.	50± S.Y.	REVTMENT RIP RAP (DITCH CROSSING)	15.00	750.00
13.	3,500± L.F.	GRASS RESTORATION	.50	1,750.00
TOTAL BID . . . . .				89,271.50

In submitting this bid, it is understood that the right is reserved by the Owner to reject any and all bids and to waive any defect in any bid.

IN WITNESS WHEREOF, the bidder (a firm) by its owner(s) named below, hereunto set hand(s) and seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

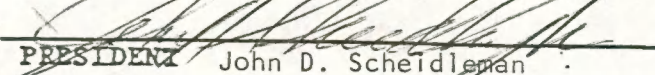
FIRM NAME \_\_\_\_\_

BY: \_\_\_\_\_

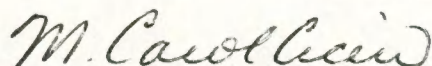
\_\_\_\_\_

IN TESTIMONEY WHEREOF, the bidder (a corporation) has caused this proposal to be signed by its President and Secretary and affixed its corporate seal this \_\_\_\_\_<sup>3rd</sup> day of \_\_\_\_\_ September, 19 86.

Scheidleman Excavating, Inc.  
NAME OF CORPORATION

BY:   
PRESIDENT John D. Scheidleman

ATTEST:



M. Carol Cicero

NOTE 1:

Use this form, if Cashier's or Certified Check accompanies bid:

Enclosed, herewith, find Cashier's or Certified Check for \$ \_\_\_\_\_

being \_\_\_\_\_ % of the maximum bid herein, made payable to:

THE CITY OF FORT WAYNE, INDIANA

the proceeds, of which, are to remain the absolute property of said City, if

---

BIDDER

shall not within \_\_\_\_\_ days after Notice of Acceptance of the within bid, enter into a written contract, and secure said contract by a bond, for the full amount of the contract to the approval of the proper officials of said City.

---

NOTE 2:

Use this form, if Bidder's Bond accompanies bids.

Enclosed herewith, find a Bidder's Bond in an amount equal to ten (10%) per cent of maximum bid herein, subject to the approval of the Board of Public Works and Safety, conditioned as follows:

That if the Board of Public Works and Safety shall award

\_\_\_\_\_  
Scheidleman Excavating, Inc.

the contract for said work, and if \_\_\_\_\_ Scheidleman Excavating, Inc.

\_\_\_\_\_  
shall enter into a contract and furnish a 100% Performance Bond as required within ten (10) days from the date, he/she/it is notified of the acceptance of his/her/its bid, then the obligation of said bond shall be null and void, otherwise, to remain in full force and effect.

NON-COLLUSION AFFIDAVIT

The Bidder, by its Officers and \_\_\_\_\_

agents or representatives present at the time of filing this bid, being duly sworn on their oaths, say that neither they nor any of them have in any way, directly or indirectly, entered into any arrangement or agreement with any other bidder, or with any public officer of such City of Fort Wayne, Indiana, whereby such affiant or affiants or either of them, has paid or is to pay to such other bidder or public officer any sum of money, or has given or is to give such bidder or public officer anything of value whatever, or such affiant or affiants or either of them has not directly or indirectly, entered into any arrangement or agreement with any other bidder or bidders, which tends to or does lessen or destroy free competition in the letting of the contract sought for by the attached bids, that no inducement of any form or character other than that which appears upon the face of the bid will be suggested, offered, paid or delivered to any person, whomsoever to influence the acceptance of the said bid or awarding of the contract, nor has this bidder any agreement or understanding of any kind whatsoever, with any person whomsoever to pay, deliver to, or share with any other person in any way or manner, any of the proceeds of the contract sought by this bid.

Scheidleman Excavating, Inc.

By: \_\_\_\_\_

John D. Scheidleman, President

Subscribed and sworn to before me by John D. Scheidleman

this 3rd day of September, 1986.

My Commission Expires:

10/27/88

M. Carol Cicero

M. Carol Cicero

NOTARY PUBLIC

Resident of Allen County, IN

Subscribed and sworn to before me by \_\_\_\_\_

this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

My Commission Expires:

NOTARY PUBLIC

Resident of \_\_\_\_\_ County, IN

Subscribed and sworn to before me by \_\_\_\_\_

this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

My Commission expires:

NOTARY PUBLIC

Resident of \_\_\_\_\_


CERTIFICATE IN LIEU OF FINANCIAL STATEMENT

I, John D. Scheidleman, the President  
Name  
Position, of Scheidleman Excavating, Inc.  
Company

**HEREBY CERTIFY:**

1. That the Financial Statement of said Company, dated the 30th day of September, 19 85, now on file in the office of the Board of Public Works of the City of Fort Wayne, Indiana, which Financial Statement is by reference incorporated herein and made a part hereof, is a true and correct statement and accurately reflects the financial condition of said Company, as of the date hereof;
2. That I am familiar with the books of said Company, showing its financial condition and am authorized to make this Certificate on its behalf.

DATED: September 3, 1986

  
Signature John D. Scheidt  
President

SUBSCRIBED AND SWORN to before me, a Notary Public, in and for said County and State, this 3rd day of September, 19 86.

M. Carol Cicero  
NOTARY PUBLIC M. Carol Cicero  
A Resident of Allen County, IN

My Commission Expires:

10/27/88

CERTIFICATION OF BIDDER/VENDOR

The undersigned, on behalf of Scheidleman Excavating, Inc.  
\_\_\_\_\_, does hereby make the following representations  
to the City of Fort Wayne, Indiana.

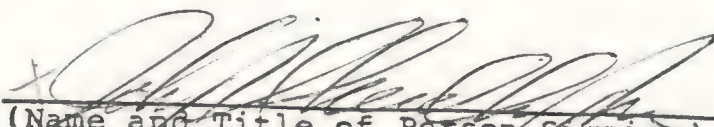
WHEREAS, it is acknowledged that the Common Council  
of the City of Fort Wayne, Indiana, has passed an ordinance con-  
demning the apartheid policies of the country of South Africa;

WHEREAS, Council's ordinance requires that all persons,  
firms or corporations submitting bids to the City, for goods and  
services, certify, as part of the bid, that such entity does not  
support the policies of apartheid in South Africa.

The undersigned states, on behalf of Scheidleman  
Excavating, Inc., that Scheidleman Excavating, Inc.  
does not support or endorse the policy of apartheid in South Africa.

IN WITNESS WHEREOF, this Certification has been signed  
this 3rd day of September, 19 86.

Scheidleman Excavating, Inc.  
(Name of Bidder/Vendor)

  
(Name and Title of Person Signing)  
John D. Scheidleman, President

## CERTIFICATION OF NON-SEGREGATED FACILITIES

Each bidder is required to submit with his bid a fully executed Certificate of Non-Segregated Facilities.

## CERTIFICATION OF NON-SEGREGATED FACILITIES

The bidder certifies that he does not maintain or provide for his employees any segregated facilities at any of his establishments, and that he does not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. The bidder certifies further that he will not maintain or provide for his employees any segregated facilities at any of his establishments, and that he will not permit his employees to perform their services at any location under his control where segregated facilities are maintained. The bidder agrees that a breach of this certification will be a violation of the Equal Opportunity clause in any contract resulting from acceptance of this bid. As used in this certification, the term "segregated facilities" means any waiting rooms, work area, restrooms and washrooms, restaurant or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, color, religion, or national origin, because of habit, local custom, or otherwise. The bidder agrees that (except where has obtained identical certification from proposed subcontractors for specific time periods) he will obtain identical certification from proposed subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity clause, and that he will retain such certifications in his files.

Note: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

Date: September 3, 19 86 Scheidleman Excavating, Inc.

(Name of Bidder)

By

John D. Scheidman

President

Title

Official Address (including  
ZIP code):

6117 Stoney Creek Drive, Fort Wayne, Indiana 46825

It is the policy of Scheidleman Excavating, Inc. that  
(Company)

equal employment opportunity be afforded to all qualified persons without regard to race, religion, color, sex, or national origin.

In support of this policy Scheidleman Excavating, Inc. will not  
(Company)

discriminate against any employee or applicant for employment because of race, religion, color, sex, or national origin.

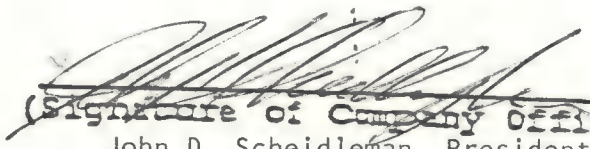
The Scheidleman Excavating, Inc. will take affirmative action  
(Company)

to insure that applicants are employed and that employees are treated during employment without regard to their race, religion, color, sex, or national origin. Such action will include but not be limited to:

RECRUITMENT, ADVERTISING OR SOLICITATION FOR EMPLOYMENT, HIRING, PLACEMENT, UPGRADING, TRANSFER OR DEMOTION, SELECTION FOR TRAINING INCLUDING APPRENTICESHIP, RATES OF PAY OR OTHER FORMS OF COMPENSATION, LAYOFFS OR TERMINATION.

Scheidleman Excavating, Inc.

(Name of Company)

  
(Signature of Company Official)

John D. Scheidleman, President

9/3/86

(Date)

**Proposal Bond**

**KNOW ALL MEN BY THESE PRESENTS,**

Bond no. TPI-611060  
GPA-169

That we SCHEIDLEMAN EXCAVATING INC.  
6117 STONEY CREED DR.  
FORT WAYNE, IN 46825

as Principal, and the Transamerica Premier Insurance Company, a corporation under the laws of the State of California, as  
Surety, are held and firmly bound unto CITY OF FORT WAYNE  
FORT WAYNE, IN  
(hereinafter called the obligee)

in the full and just sum of TEN PERCENT OF ACCOMPANYING BID  
[BID NOT TO EXCEED \$200,000.00]  
for the payment whereof in lawful money of the United States, we bind ourselves, our heirs, administrators, executors or successors,  
jointly and severally, firmly by these presents.

**WHEREAS** the said PRINCIPAL has submitted the accompanying bid for WALLEN ROAD 86 XP 4

**NOW, THEREFORE**, if said contract be awarded to the Principal and the Principal shall, within such time as may be specified,  
enter into the contract in writing, and give bond, with surety acceptable to the Obligee for the faithful performance of the said con-  
tract, then this obligation shall be void; otherwise to remain in full force and effect. Provided, however, that if said contract is not  
awarded within 60 days of the date of bid opening, this bond shall be void and of no force and affect.

Signed and Sealed this 27TH day of AUGUST, 1986.

SCHEIDLEMAN EXCAVATING INC.  
Principal  
by: [Signature]  
John D. Scheidleman, President

Transamerica Premier Insurance Company  
By [Signature]  
Attorney-in-fact  
MICHAEL J. SCHROEDERUS

Nº 0169

GPA  
Power of Attorney valid only if numbered in red.

**General Power of Attorney**

Know All Men by These Presents, That Transamerica Premier Insurance Company, a corporation duly organized and existing under the laws of the State of California, and having its administrative office in Irvine, Orange County, California, does by these presents make, constitute and appoint

MICHAEL J. SCHROEDERUS

of Kalamazoo and State of Michigan its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver

CONTRACT BONDS (S.B.A. Guarantee Agreement) - MAXIMUM PENALTY \$500,000.00  
OTHER CONTRACT BONDS - MAXIMUM PENALTY \$100,000.00  
ALL OTHER BONDS - MAXIMUM PENALTY \$10,000.00

"THIS POWER OF ATTORNEY SHALL TERMINATE AND BE  
OF NO FURTHER EFFECT AFTER DECEMBER 31, 1987"

and to bind the Company thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of the Transamerica Premier Insurance Company, at a meeting held on the 12th day of June, 1984.

"Be It Resolved, that the President, any Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

"Section 1. Attorney-in-Fact. Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity, consents of surety and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and attested by the Corporate Secretary."

In Witness Whereof, Transamerica Premier Insurance Company has caused these presents to be signed by its President 27th day of May, A.D., 19 86 and its corporate seal to be hereto affixed this

TRANSAMERICA PREMIER INSURANCE COMPANY

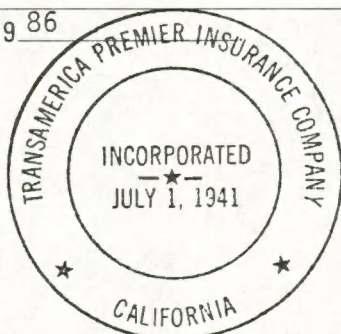
By

*John M. Wynn*

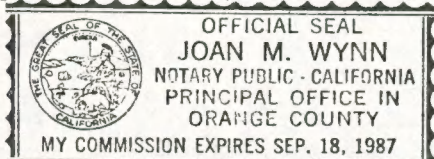
State of California

County of Orange

ss.:



On this 27th day of May, in the year 1986, before me Joan M. Wynn, a notary public, personally appeared Jack M. Trapp, personally known to me to be the person who executed the within instrument as President, on behalf of the corporation therein named and acknowledged to me that the corporation executed it.



*Joan M. Wynn*  
Notary Public

I, the undersigned Secretary of Transamerica Premier Insurance Company hereby certify that the above and foregoing is a full, true and correct copy of the Original Power of Attorney issued by said Company, and do hereby further certify that the said Power of Attorney is still in force and effect.

And I do hereby further certify that the Certification of this Power of Attorney is signed and sealed by facsimile under and by the authority of the following resolution adopted by the Board of Directors of the Transamerica Premier Insurance Company at a meeting duly called and held on the 12th of June, 1984, and that said resolution has not been amended or repealed:

"Resolved, that the signature of the Secretary or any Assistant Secretary of this Corporation, and the seal of Corporation, may be affixed or printed by facsimile to any certificate to a Power of Attorney of this Corporation, and that such printed facsimile signature and seal shall be valid and binding upon this Corporation."

GIVEN under my hand and the seal of said Company, this 27TH day of AUGUST

19 86

THIS POWER OF ATTORNEY EFFECTIVE ONLY IF

ATTACHED TO BOND NO. TPI-611060-76

*Ali M. R.*

Secretary

7387.

Admn. Appr. \_\_\_\_\_

DIGEST SHEET

*86-09-25*

TITLE OF ORDINANCE

Water Contract 86-XP-4, Wallen-Coldwater Rd. Connection

DEPARTMENT REQUESTING ORDINANCE

Board of Public Works & Safety

SYNOPSIS OF ORDINANCE

Water Contract 86-XP-4, Wallen-Coldwater Road Connection,

is for the installation of ductile iron Water Main as follows: 3,800 L.F.

of 12" water main on Wallen Road and Coldwater Road, from an existing water main at

Newberry Drive and Wallen Road, westward on Wallen Road 2,300 L.F. to terminus;

and, on Coldwater Road, from Wallen Road, northward 1,300 L.F.

Scheidleman Excavating, Inc., is the Contractor.

EFFECT OF PASSAGE

Improved Water Conditions at above location.

EFFECT OF NON-PASSAGE

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS)

\$89,271.50

ASSIGNED TO COMMITTEE (PRESIDENT)

BILL NO. S-86-09-25

REPORT OF THE COMMITTEE ON CITY UTILITIES

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS

REFERRED AN (ORDINANCE) (~~XXXXXXXXXXXX~~) (RESOLUTION) approving Water Contract

86-XP-4, Wallen-Coldwater Road Connection, between Scheidleman

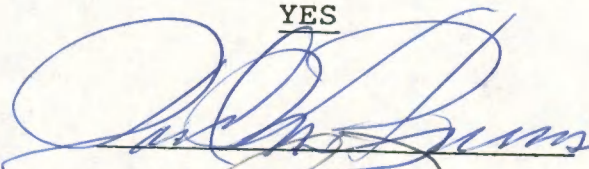
Excavating, Inc., and the City of Fort Wayne, Indiana, in connection

with the Board of Public Works and Safety

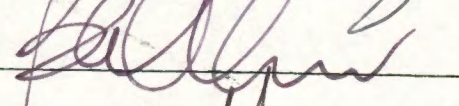
HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG  
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)  
(~~RESOLUTION~~)

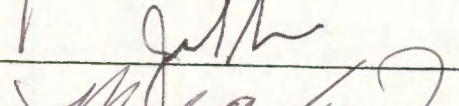
YES

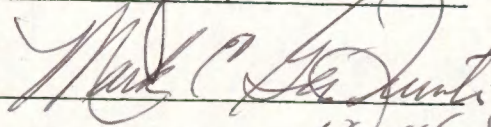
NO

 PAUL M. BURNS  
CHAIRMAN

 THOMAS C. HENRY  
VICE CHAIRMAN

 BEN A. EISBART

 JAMES S. STIER

 MARK E. GIAQUINTA

CONCURRED IN 10-14-86

SANDRA E. KENNEDY  
CITY CLERK